



**City of YUMA**

**CITY OF YUMA  
REGULAR CITY COUNCIL MEETING **SUMMARY**  
COUNCIL CHAMBERS – YUMA CITY HALL  
ONE CITY PLAZA, YUMA, ARIZONA  
WEDNESDAY, DECEMBER 16, 2009  
5:30 P.M.**

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**CALL TO ORDER**

**5:00 PM**

**INVOCATION**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**FINAL CALL** for submission of Speaker Request Forms

**PRESENTATIONS**

**COMMUNICATIONS / FACTUAL RESPONSES**

**INFORMATIONAL  
UPDATE**

This is the City Administrator's opportunity to clarify facts regarding statements circulating in the Yuma community in recent weeks concerning City issues and projects. The City Administrator's comments are intended to be informational only and no discussions, deliberations or decisions will occur on this item.

**I. CALL TO THE PUBLIC**

**NO LEGAL ACTION  
PERMITTED**

Members of the public may address the City Council on matters that are not listed on the City Council agenda. The City Council cannot discuss or take legal action on any matter raised unless it is properly noticed for discussion and legal action. At the conclusion of the Call to the Public, individual members of the City Council may respond to criticism made by those who have addressed the City Council, may ask staff to review a matter or may ask that a matter be placed on a future agenda. All City Council meetings are recorded and videotaped.

**II. MOTION CONSENT AGENDA**

All items listed on the Motion Consent Agenda will be considered and enacted with one motion. There will be no separate discussion of these items unless a Councilmember so requests. In which event, the item will be removed from the Motion Consent Agenda and the vote or action will be taken separately.

**A. Approval of minutes of the following City Council meeting(s):**

- APPROVED** 1. Special Worksession/ Retreat January 28, 2009
- APPROVED** 2. Special Worksession November 17, 2009

**B. Approval of Staff Recommendations:**

**Page Item**

- 1. Executive Sessions may be held at the next regularly scheduled Special Worksession, Regular Worksession and City Council Meeting for personnel, legal, litigation and real estate matters pursuant to A.R.S. § 38-431.03 Section A (1), (3), (4), and (7). (City Attorney)

**APPROVED 2. Special Event Liquor License: Fort Yuma Rotary Club**

Approve a Special Event Liquor License application submitted by Jack Alan Frost, on behalf of the Fort Yuma Rotary Club, for the Mardi Gras Block Party. The event will be held in the 200-300 blocks of S. Main Street, on February 5, 2010, from 7:00 a.m. to 11:30 p.m. (SP09-16) (City Administration/City Clerk)

**APPROVED 3. Special Event Liquor License: Yuma Jaycees Silver Spur Rodeo**

Approve a Special Event Liquor License application submitted by Terry Lee Matzner, on behalf of the Yuma Jaycees, for the Silver Spur Rodeo. The event will be held at 2520 E. 32nd Street, Yuma County Fairgrounds, on February 12, 2010, from 10:00 a.m. to 5:00 p.m.; February 13, 2010, from 10:00 a.m. to 10:00 p.m.; and February 14, 2010, from 10:00 a.m. to 5:00 p.m. (SP09-17) (City Administration/City Clerk)

**APPROVED 4. Liquor License: Ninja Sushi**

Approve a #12 Restaurant (New License) Liquor License application submitted by Hong Sik Moon, agent for Ninja Sushi, 1400 E. 16th Street, Yuma, Arizona. (LL09-23) (City Administration/City Clerk)

**APPROVED 5. Request for Proposal (RFP) Rejection: Classification Study and Pay Plan Development**

Reject all proposals for the Classification Study and Pay Plan Development. (Human Resources/RFP #2010000079)

**APPROVED 6. Sole Source Contract: Design and Construction of the B 1.7 Yuma Mesa Irrigation and Drainage District Siphon Extension**

Award of a Sole Source contract for the Design and Construction of the Extension of the B 1.7 Lateral Canal Siphon at 32nd Street and Avenue 6E in accordance with Yuma City Code, Section 36-39, Sole Source Procurement, at an estimated cost of \$420,000.00 to: Yuma Mesa Irrigation and Drainage District (YMIDD), Yuma, Arizona. (City Engineering - Bid #2010000265)

**APPROVED 7. Amendment: 1st Avenue Alignment Modification (North) - 2005 Major Roadways Plan**

Modify the 1st Avenue alignment between 1st Street and 18th Street in the 2005 Major Roadways Plan. (Community Development/Community Planning)

**APPROVED 8. Amendment: 5th Avenue Alignment Modification - 2005 Major Roadways Plan**

Modify the 5th Avenue alignment between 14th Street and 16th Street and the 14th Street alignment from 4th Avenue to 7th Avenue in the 2005 Major Roadways Plan. (Community Development/Community Planning)

**APPROVED 9. Amendment: 5th Street Alignment Modification - 2005 Major Roadways Plan**

Modify the 5th Street alignment between Magnolia Avenue and 4th Avenue in the 2005 Major Roadways Plan. (Community Development/Community Planning)

**APPROVED 10. Amendment: 8th Street Alignment Modification - 2005 Major Roadways Plan**

Modify the 8th Street alignment between 1st Avenue and Avenue E 1/2 in the 2005 Major Roadways Plan. (Community Development/Community Planning)

**APPROVED 11. Amendment: 2005 Major Roadways Plan**

Modify the 8th Street alignment from 1st Avenue to Castle Dome Avenue, affirm various roadway designations as identified in the 2005 Major Roadways Plan and identify specific rights-of-way width and roadway alignments. (Community Development/Community Planning)

**SUGGESTED MOTION: To approve the MOTION CONSENT AGENDA as recommended:**

M/ \_\_\_\_\_ S/ \_\_\_\_\_ VV/ \_\_\_\_\_

**III. RESOLUTION CONSENT AGENDA**

All items listed on the Resolution Consent Agenda will be considered and enacted with one motion. There will be no separate discussion of these items unless a City Councilmember so requests or a Speaker Request Form has been submitted. In which event, the item will be removed from the Resolution Consent Agenda and the vote or action will be taken separately.

**ADOPTED A. Resolution R2009-91 Preannexation Development Agreement: Humane Society of Yuma, Inc.**

Authorize a Preannexation Development Agreement with Humane Society of Yuma, Inc. for 4.73 acres of property located at the southwest corner of Avenue 4 1/2 E and 40th Street. (City Administration/Economic Development)

**SUGGESTED MOTION: To adopt the RESOLUTION CONSENT AGENDA as recommended:**

M/ \_\_\_\_\_ S/ \_\_\_\_\_ RV/ \_\_\_\_\_

#### **IV. ADOPTION OF ORDINANCES CONSENT AGENDA**

All items listed on the Ordinances Consent Agenda will be considered and enacted with one motion. There will be no separate discussion of these items unless a City Councilmember so requests or a Speaker Request Form has been submitted. In which event, the item will be removed from the Ordinance Consent Agenda and the vote or action will be taken separately.

**ADOPTED A. Ordinance O2009-69 Exchange and Acquisition of Real Property: Yuma Art Center Expansion**

Authorize staff to exchange and acquire property for expansion of the Yuma Art Center (CIP No. 2.0702) (City Engineering/Administration)

**SUGGESTED MOTION: To adopt the ORDINANCES CONSENT AGENDA as recommended:**

M/ \_\_\_\_\_ S/ \_\_\_\_\_ RV/ \_\_\_\_\_

#### **V. INTRODUCTION OF ORDINANCES**

The following ordinance(s) is presented to the City Council for introduction. No vote or action by the City Council is necessary. However, the City Council may, at its option, vote or take action where appropriate. Ordinances given introduction are generally presented to the City Council for adoption at the next Regular City Council meeting.

**INTRODUCED A. Ordinance O2010-01 Rezoning of Property: 3861 & 3885 South Pico Avenue**

Rezone property from the Light Industrial (LI) District to the Heavy Industrial (H-I) District. The applicant is the City of Yuma on behalf of Yuma County Airport Authority. (Z2009-016). (Community Development/Community Planning)

**INTRODUCED B. Ordinance O2010-02 Stormwater Drainage Access Easement**

Authorize acquisition of drainage access easement from Kohl's Department Stores, Inc. (City Engineering/Administration)

**INTRODUCED C. Ordinance O2010-03 Right-of-Way Acquisition: 12th Street - Lot 209 of Magnolia Village Unit No. 3**

Authorize the acquisition of Lot 209 of Magnolia Village Unit No. 3 for 12th Street widening and reconstruction, between Avenue B and Avenue A. (City Engineering/Administration)

**INTRODUCED D. Ordinance O2010-04 Yuma City Code Amendment: Bidder's Preference**

Authorize amendment to the Yuma City Code, Title 3, Chapter 36, Section 36-37 - Bidder's Preference to allow the City Administrator or designee the discretion to grant a monetary preference to local bidders. (Finance/Purchasing)

**VI. PUBLIC HEARINGS & RELATED ACTIONS**

*There are no Public Hearings scheduled at this time.*

**VII. APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING**

Discussion and possible action on the following items:

1. Appointment to boards, commissions, committees and offices:

**APPOINTMENTS  
MADE-  
REMAINING  
VACANCIES  
OPEN**

- Arts and Culture Commission: two terms to expire 11/12/2012 **Reappointed Rosa Gaytan**
- Clean and Beautiful Commission: two terms to expire 12/11/2012
- Merit System Board: one term to expire 01/15/2012
- Residential Advisory & Appeals Board: two partial (one citizen and one Plumbing Contractor) terms to expire 09/01/2011
- Water and Sewer Commission: one partial term to expire 07/06/2013

2. Announcements:

**NOT REPORTED**

- City Council report on meetings/events attended – City Council report on issues discussed in meetings/events attended by a City Council representative in their official capacity as the City’s representative during the period of December 2, 2009 through December 16, 2009. City Council questions regarding the update must be limited solely for clarification purposes. If further discussion is warranted, the issue will be added to a future agenda for a detailed briefing.

**NOT REPORTED**

- City Council report of upcoming meetings.
  - City Council request for agenda items to be placed on future agendas.
3. Scheduling: Motion to schedule future City Council meetings pursuant to Arizona Revised Statutes Section 38-431.02 and the Yuma City Code, Chapter 30.

### **VIII. SUMMARY OF CURRENT EVENTS**

**INFORMATIONAL  
UPDATE**

This is the City Administrator's opportunity to give notice to the City Council of current events impacting the City. Comments are intended to be informational only and no discussion, deliberation or decision will occur on this item.

**REPORTED** **IX. FAREWELL AND FINAL COMMENTS TO MAYOR LARRY NELSON AND CITY COUNCILMEMBER'S DOUGLAS NICHOLLS AND EMA LEA SHOOP**

### **X. EXECUTIVE SESSION**

**EXECUTIVE  
SESSION  
NOT HELD**

An Executive Session may be held during this meeting to discuss pending Legal/Personnel/Real Estate matters. An Agenda will be posted 24 hours in advance.

### **ADJOURNMENT 7:12 PM**

In accordance with the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973 the City of Yuma does not discriminate on the basis of disability in the admission of or access to, or treatment or employment in, its programs, activities, or services. For information regarding rights and provisions of the ADA or Section 504, or to request reasonable accommodations for participation in City programs, activities, or services contact: ADA/Section 504 Coordinator, City of Yuma Human Resources Department, One City Plaza, PO Box 13012, Yuma, Arizona 85366-3012; (928) 373-5125 or TTY (928) 373-5149.